

PATENT
Attorney Docket No. SER-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Fein, Seymour	CONF. NO.:	7710
SERIAL NO.:	10/706,100	GROUP NO.:	1654
FILING DATE:	November 12, 2003	EXAMINER:	A. Kosar
TITLE:	<i>PHARMACEUTICAL COMPOSITIONS INCLUDING LOW DOSAGES OF DESMOPRESSIN</i>		

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Applicant filed an Amendment and Response to the Final Office Action issued January 8, 2009 on February 10, 2009. That paper included a summary of the substantive content of the discussion which occurred during two interviews between Applicant's undersigned representative and Examiners Kosar, Gupta, and Tsang, and separately with Examiner Wax. On February 12, 2009, Applicant received an interview summary record from Examiner Kosar. This paper is in response to that Interview Summary.

The last paragraph of the Interview Summary record instructs that the written reply to the last office action must include the substance of the interview, and indicates that if a response has already been filed Applicant has a non extendable period to comply. Applicant had already complied with this requirement two days before the date of the Interview Summary paper, and assumes that the Examiner did not have Applicant's submitted summary at the time of drafting his summary. If the Examiner believes that Applicants summary of the interview is in any way deficient, he is requested to so state so that the undersigned can respond.

In his Summary the Examiner states that "Applicant's previous rebuttal stated that the composition was not the invention." This is incorrect. The statements in the rebuttal are of

record and speak for themselves. Applicant is here seeking claims directed to compositions embodying his invention. He believes for the reasons of record that the claims are patentable and comply fully with all statutory requirements.

In his Summary the Examiner also states that "Applicant was told that . . . the proposed amendments did nothing to place the claims in allowable form, or reduce issues for appeal and would not be entered if formally presented." The undersigned attorney agrees with the first part of this sentence in that the Examiners clearly stated they believed the claims did not put the application in allowable condition. However, the undersigned attorney asked specifically during the interview after it became apparent that an impasse had been reached whether he should submit the amendments. He recalls no direct answer to this, but rather, the Examiners stated that the claims as proposed to be amended were the ones under discussion. Subsequently, during discussions with Examiner Wax, the undersigned understood him to recommend that the claim amendments be formally submitted.

Applicant submits the proposed claim amendments certainly place the claims in better form. Entry is respectfully requested.

Respectfully submitted,

Date: February 18, 2009
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